

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

REINALDO FANTAUZZI

: CIVIL ACTION

v.

: NO. 18-5166

CAPTAIN TERRA

:

ORDER

AND NOW, this 29th day of November 2019, upon considering Defendants Terra's, Reber's, Ferracci's and Link's Motion to dismiss (ECF Doc. No. 35) the second amended Complaint (ECF Doc. No. 32), no timely response, and for reasons in the accompanying Memorandum, it is **ORDERED** Defendants' Motion to dismiss (ECF Doc. No. 29) is **GRANTED in part and DENIED in part:**

1. We **GRANT** the Motion in part to **dismiss** Plaintiff's claims against Superintendent Link, Lieutenant Reber, and Correctional Officer Ferracci **with prejudice** and they are dismissed as parties;

2. We **DENY** the Motion as to Plaintiff's First Amendment retaliation claim against Captain Terra who shall file an Answer no later than **December 13, 2019**; and,

3. We **amend** the caption for all further proceedings as above to reflect to sole remaining Defendant.



KEARNEY, J.